

PROPOSED ORDINANCE NO. 48 - 2015

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE A RELEASE AND RELOCATION OF AN EASEMENT FOR DRAINAGE PURPOSES BETWEEN THE COUNTY OF NASSAU AND VINCENT DEJANA SITUATED IN THE VILLAGE OF LATTINGTOWN, TOWN OF OYSTER BAY, COUNTY OF NASSAU, NEW YORK

WHEREAS, the County of Nassau had acquired an easement for drainage purposes upon a portion of property known as Section 30 Block 45 Lots 25 and 32 on the Land and Tax Map of Nassau County;; and

WHEREAS, Vincent Dejana has requested the Easement be released and relocated so as to reflect the actual location of the existing drainage facilities on property located on Lattingtown Road and Meudon Drive, Village of Lattingtown, Town of Oyster Bay known as Section 30 Block 45 Lots 25 and 32 on the Land and Tax Map of Nassau County; and

WHEREAS, the County has determined that the release and relocation of said Easement will serve to meet the drainage requirements of the County; and

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the Nassau County Legislature, the Nassau County Planning Commission has reviewed the proposed action, namely the release by the County of Nassau of the Easement and that it is an “Unlisted Action” pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and has further reviewed the Environmental Assessment Form (“EAF”) for the proposed action and recommends that the Legislature upon its review of the EAF and supporting documentation determine that the evidence indicates that the proposed action will have no significant environmental impact and does not require further environmental review

and passed a resolution regarding the proposed action, a copy of such resolution being attached hereto as Appendix A and incorporated herein, recommending that the Legislature conclude that no further environmental review or action is required on such proposed action.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

SECTION 1. That the County Executive be and he is hereby authorized to execute on behalf of the County of Nassau, the Release and Relocation of Easement, (“Release”) subject to all the terms and conditions as contained in said Release.

SECTION 2. That the County Executive is hereby authorized to execute any and all ancillary documents necessary to carry out the purposes of the Release.

SECTION 3. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the proposed Release and Relocation of Easement has been determined not to have a significant effect on the environment and no further review is required for the reasons set forth in the attached Determination of Non-Significance.

SECTION 4. This Ordinance shall take effect immediately.

